

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re Terrorist Attacks on September 11, 2001

No.  
ECF Case

SHORT FORM COMPLAINT AND  
DEMAND FOR JURY TRIAL

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ANDREW LEFTT; EDWARD MCCONNIN; EUGENE  
MILANESI; FRANZ EDWARDS; FRED GOLBA;  
GEORGE L. NAPAKH; BEILI ZHENG AS EXECUTOR  
OF THE ESTATE OF JAMES CHAN, DECEASED;  
JEAN ELIE; JOHN E. BONSIGNORE III; LAWRENCE  
FRASCA, JILL MASSA AS EXECUTOR OF THE  
ESTATE OF LOUIS MASSA, DECEASED; LYUDMILA  
NAPAKH; MICHAEL ALTMAN AS EXECUTOR OF  
THE ESTATE OF LISA ALTMAN, DECEASED;  
MICHAEL CIPPARULO; MICHAEL ZEMELMAN;  
MICHAEL ZEMELMAN AS EXECUTOR OF THE  
ESTATE OF RAISA ZEMELMAN, DECEASED; ROBERT  
WATMAN; SVETLANA ROY; VIVIAN LOMACANG  
AND WILLIAM G. NELSON

PLAINTIFFS;

-against-

KINGDOM OF SAUDI ARABIA and SAUDI HIGH  
COMMISSION FOR RELIEF OF BOSNIA &  
HERZEGOVINA,

DEFENDANTS;

-----X  
Plaintiff(s) file(s) this *Short Form Complaint and demand for Trial by Jury* against Defendants named herein by and through the undersigned counsel. Plaintiff(s) incorporates(s) by reference the specific allegations, as indicated below, of Plaintiff's *Consolidated Amended Complaint* as to the Kingdom of Saudi Arabia ("Kingdom" or "Saudi Arabia") and the Saudi High Commission for Relief of Bosnia & Herzegovina ("the SHC") and *Demand for Jury Trial* in *Re: Terrorist Attacks on September 11, 2011, 03 MDL 1570* in the United States District Court for the Southern District of New York (hereinafter "the CAC"). Plaintiff(s) file(s) this *Short Form Complaint and Demand for Jury Trial* as permitted and approved by the Court's Order May 3, 2017, ECF No. 3543

### VENUE

1. Venue in this district is proper pursuant to 28 U.S.C. §§ 1391(b)(2) and 1391(f)(1), as substantial part of the events giving rise to the claims asserted herein occurred in this district. Venue is also proper pursuant to 18 U.S.C. § 2334(a)

### JURISDICTION

2. Jurisdiction, is asserted in the CAC, and further jurisdiction of the within *Short Form Complaint* is premised upon and applicable to all defendants in this action:

- ☒ 28 U.S.C. § 1604(a)(5) (non-commercial tort exception)
- ☒ 28 U.S.C. § 1605B (Justice against Sponsors of Terrorism act)
- ☐ Other: (set forth below the basis of any additional ground for jurisdiction and please such in sufficient detail as per the FRCP): \_\_\_\_\_

### CAUSES OF ACTION

3. Plaintiff(s) hereby adopt(s) and incorporate(s) by reference, the CAC as if set forth fully herein.
4. Furthermore, the following claims and allegations are asserted by Plaintiff(s) and are herein adopted by reference from the CAC:
  - ☒ Aiding and Abetting and Conspiring with Al Qaeda to Commit the September 11<sup>th</sup> Attacks Upon the United States in Violation of 18 U.S.C. § 2333 (d) (JASTA)
  - ☒ Aiding and Abetting and Conspiring with Al Qaeda to Commit the September 11<sup>th</sup> Attacks Upon the United States in Violation of 18 U.S.C. § 2333 (a)
  - ☒ Committing Acts of International Terrorism in Violation of 18 U.S.C. § 2333
  - ☒ Wrongful Death, as applicable to a claim for such
  - ☒ Survival

- ☒ Alien Tort Claims Act
  - ☒ Assault and Battery
  - ☒ Conspiracy
  - ☒ Aiding and Abetting
  - ☒ Intentional Infliction of Emotional Distress
  - ☒ Liability Pursuant to Restatement (Second) of Torts § 317 and Restatement (Third) of Agency §7.05:Hiring, Selecting, and Retaining Employees and Agents
  - ☒ 18 U.S.C. § 1962(a)-(d)- CIVIL RICO
  - ☐ Trespass
  - ☒ Punitive Damages
  - ☐ Plaintiff assert(s) the following additional theories and/or Causes of action against Defendants: \_\_\_\_\_
- 

### **IDENTIFICATION OF PLAINTIFFS**

5. The following allegations and information contained herein, is alleged as to each individual who is bringing this claim, as indicated on Appendix 1 to this *Short Form Complaint*, and/or as to each decedent who was injured and who is now deceased, whose claim is brought by Estate representative, and as to the survivors of the Estate, herein referred to as "Plaintiffs."

- a) The citizenship/nationality of said Plaintiff is indicated at Appendix 1 to this Short Form Complaint.
- b) Said Plaintiff is entitled to recover damages on the causes of action set forth in this Complaint.
- c) As indicated at Appendix 1, said Plaintiff was injured as a result of the terrorist attacks of September 11, 2000; is the estate representative of someone who was injured as a result of the terrorist attacks of September 11, 2001 and who is now deceased.

- d) For those plaintiffs with injury claims, as indicated in Appendix 1, on or after September 11, 2001, said Plaintiff was present at the Pentagon and/or the World Trade Center site and/or its surroundings and/or lower Manhattan and/or at an area wherein he/she was exposed to toxins as a result of the terrorist attacks and was exposed to toxins as a result of the terrorist attacks and was exposed to toxins from attacks, and/or was otherwise injured, and/or as otherwise alleged: \_\_\_\_\_
- e) As a direct, proximate and foreseeable result of Defendant's actions or inactions, Plaintiff suffered bodily injury and/or death, and consequently economic and other losses, including but not limited to pain and suffering, emotional distress, psychological injuries, and loss of enjoyment of life, and as otherwise described in the CAC, and/or as otherwise may be specified in subsequent discovery proceedings, and/or as otherwise alleged herein: To Be Determined
- f) The name, relationship to the injured 9/11 victim, residency, citizenship/nationality, and the general nature of the claim for each plaintiff is listed on the attached Appendix 1, and is incorporated herein as allegations, with all allegations of the within *Short Form Complaint* deemed alleged as to each plaintiff.

#### IDENTIFICATION OF DEFENDANTS

6. The following entities are Defendants herein:

- ☒ Kingdom of Saudi Arabia
- ☒ Saudi High Commission for Relief of Bosnia & Herzegovina

This *Short Form Complaint* shall be deemed subject to any motion to dismiss the CAC or Answer to the CAC filed by Saudi Arabia or the SHC. By way of filing this *Short Form Complaint*, Plaintiffs shall not be deemed to have adopted any class action allegations set forth in the CAC filed by Saudi Arabia or the SHC. By way of filing this *Short Form*

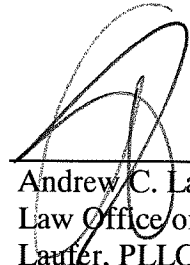
*Answer* to the CAC filed by Saudi Arabia or the SHC. By way of filing this *Short Form Complaint*, Plaintiffs shall not be deemed to have adopted any class-action allegations set forth in the CAC or waived any right to object to class certification or opt out of any certified class. This *Short Form Complaint* also does not serve as a request for exclusion from any class that the Court may certify.

WHEREFORE, Plaintiff(s) pray(s) for relief and judgement against Defendants as set forth in the CAC as appropriate.

**JURY DEMAND**

Plaintiffs demand a trial by jury as to the claims in this action.

Date: New York, New York  
April 17, 2018



\_\_\_\_\_  
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*Attorneys for Plaintiffs*

APPENDIX 1 TO SHORT FORM COMPLAINT

Each line below is deemed an allegation, incorporating the allegations, language and references within the Short form complaint to which this Appendix is appended, and shall be referenced as Allegation 1 of Appendix 1 to the *Short Form Complaint*, Allegation 2 of Appendix 1 to the Short Form Complaint, etc.)

	Plaintiffs Name (Alphabetically by first name of Injured 9/11 Victim)	Relationship to Injured 9/11 Victim	State of Residence at Filing	Citizenship/ Nationality on 9/11/01	General Nature of Claim Asserted (e.g., personal injury, wrongful death, solatium)
1.	Andrew Leftt	Self	NY	US	Personal Injury
2.	Edward McConnin	Self	NY	US	Personal Injury
3.	Eugene Milanesi	Self	NY	US	Personal Injury
4.	Franz Edwards	Self	NY	US	Personal Injury
5.	Fred Golba	Self	NY	MA	Personal Injury
6.	George Napakh	Self	NY	US	Personal Injury
7.	Estate of James Chan	Wife Beili Zheng	NY	US	Wrongful Death: Solatium
8.	Jean Elie	Self	NY	US	Personal Injury
9.	John E. Bonsignore III	Self	NY	US	Personal Injury
10.	Lawrence Frasca	Self	NY	US	Personal Injury
11.	Estate of Louis Massa	Wife Jill Massa	NY	US	Wrongful Death: Solatium
12.	Lyudmila Napakh	Self	NY	US	Personal Injury
13.	Estate of Lisa Altman	Husband Michael Altman	NY	US	Wrongful Death: Solatium
14.	Michael Cipparulo	Self	NY	US	Personal Injury
15.	Michael Zemelman	Self	NY	US	Personal Injury
16.	Moisey Lerner	Self	NY	US	Personal Injury
17.	Estate of Raisa Zemelman	Husband Michael Zemelman	NY	US	Wrongful Death: Solatium
18.	Robert Watman	Self	NY	US	Personal Injury
19.	Svetlana Roy	Self	NY	US	Personal Injury

20.	Vivian Lomacang	Self	NY	US	Personal Injury
21.	William G. Nelson	Self	NY	US	Personal Injury



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BONSIGNORE III; LAWRENCE FRASCA; JILL MASSA AS EXECUTOR OF THE  
ESTATE OF LOUIS MASSA, DECEASED; LYUDMILA NAPAKH; MICHAEL  
ALTMAN AS EXECUTOR OF THE ESTATE OF LISA ALTMAN, DECEASED;  
MICHAEL CIPPARULO; MICHAEL ZEMELMAN; MICHAEL ZEMELMAN  
AS EXECUTOR OF THE ESTATE OF RAISA ZEMELMAN, DECEASED;  
ROBERT WATMAN; SVETLANA ROY; VIVIAN LOMACANG AND WILLIAM  
G. NELSON

Plaintiff,

-against-

KINGDOM OF SAUDI ARABIA and SAUDI HIGH COMMISSION FOR RELIEF  
OF BOSNIA & HERZEGOVINA,

Defendants,

**SHORT FORM COMPLAINT AND DEMAND FOR JURY TRIAL**

LAW OFFICE OF ANDREW C. LAUFER

**Attorney(s) for Plaintiffs**

Office and Post Office Address  
255 W. 36th Street, Suite 1104  
New York, NY 10018

Tel: (212) 422 1020  
Fax: (212) 422 1069

To:

Signature (Rule 130-1.1-a)

Print name beneath

Service of a copy of the within is hereby admitted.

Dated:

Attorney(s) for:

**PLEASE TAKE NOTICE:**

☐ **NOTICE OF ENTRY**

that the within is a (certified) true copy of a  
duly entered in the office of the clerk of the within named court on

☐ **NOTICE OF SETTLEMENT**

that an order of which the within is a true copy  
will be presented for settlement to the HON one of the judges of the  
within named Court at

on at M.  
Dated,

Yours, etc.

Law Office of Andrew C. Laufer